

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

VANTAGE HOSPITALITY GROUP, INC.,
f/k/a Best Value Inn Brand Membership, Inc.,

Plaintiff,

v.

Case Number 06-15364
Honorable Thomas L. Ludington

THE WATERBURY GROUP, INC., *d/b/a*
Royal Crest Inn,

Defendant.

_____ /

ORDER VACATING JULY 7, 2008 ORDER TO SHOW CAUSE
AND STRIKING “MOTION TO DISMISS CASE”

This matter comes before the Court on a “motion to dismiss case” [Dkt. # 47] filed by John Kress (“Kress”), a self-titled “interested party.” On July 7, 2008, this Court issued an order to show cause why that motion should not be stricken in light of the fact that Kress filed a motion on behalf of a corporation, Defendant Waterbury Group, Incorporated. *See* dkt. # 48. A corporation or other business entity can only appear in federal court through an attorney, not through a non-attorney, corporate officer appearing pro se. *Harris v. Akron Dept. of Public Health*, 10 Fed. Appx. 316, 319 (6th Cir. 2001). Kress did not file a response on or before the ordered date of July 28, 2008. Therefore, the Court will strike Kress’s “motion to dismiss case.”

Accordingly, it is **ORDERED** that John Kress’s “motion to dismiss case” [Dkt. # 47] is **STRICKEN**. The Clerk’s is directed to remove the image from the docket.

s/Thomas L. Ludington

THOMAS L. LUDINGTON
United States District Judge

Dated: August 15, 2008

PROOF OF SERVICE

The undersigned certifies that a copy of the foregoing order was served upon each attorney or party of record herein by electronic means or first class U.S. mail on August 15, 2008.

s/Tracy A. Jacobs
TRACY A. JACOBS